

AMENDMENTS TO CLAIMS - PER 37 CFR 1.121

**THE CLAIMS**

I Claim:

1.(Currently Amended) A container garden comprising, a container having a bottom and upstanding side wall and is arranged to receive a lid fitted thereover, a sack formed from a flexible cloth mesh material that is open at one end to receive a mixture of a growth medium and selected seed and is closed at said end into a pouch of a size [for fitting] to fit in and essentially [filling] fill said container and be easily removable therefrom for repositioning in the container and for use as a cat toy.

2. (Currently Amended) The container garden as recited in Claim 1, wherein the sack is formed from a nylon stocking material and is filled to maintain a round shape when removed from the container.

3. (Original) The container garden as recited in Claim 1, wherein the growth medium is a mixture of one part potting soil and three parts vermiculite.

4. (Previously Amended) The container garden as recited in Claim 1, wherein the selected [seeds] seed are wheat, barley, oats, rye and catnip seeds.

5. (Original) The container garden as recited in Claim 1, wherein the container and lid are each formed from a plastic material.

Examiner: Andrea M. Valenti  
Serial No: 10/683,681 Art Unit: 3643

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 1, 2004.

A handwritten signature in cursive script, appearing to read "M. Reid Russell", is written over a horizontal line.

M. Reid Russell

October 1, 2004

Date